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MAY 30 2023	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>147</u>	DEPUTY

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

for the

District of

Division

Case No.

CV-23-946-PHX-SMB

(to be filled in by the Clerk's Office)

Sherly Lande*Plaintiff(s)*

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Intel Corporation*Defendant(s)*

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Sherly Lande</u>
Street Address	<u>2912 E Indian School RD Apt A213</u>
City and County	<u>Phoenix</u>
State and Zip Code	<u>AZ 85016</u>
Telephone Number	<u>6026934074</u>
E-mail Address	<u>sherly.lande@gmail.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Intel Corporation
Job or Title <i>(if known)</i>	NA
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	(408) 765-8080
E-mail Address <i>(if known)</i>	NA

Defendant No. 2

Name	Christopher D Warren
Job or Title <i>(if known)</i>	Manufacturing Technician
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	NA
E-mail Address <i>(if known)</i>	christopher.d.warren@intel.com

Defendant No. 3

Name	Devin L Scott
Job or Title <i>(if known)</i>	Manufacturing Technician
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	NA
E-mail Address <i>(if known)</i>	devin.l.scott@intel.com

Defendant No. 4

Name	Ryan T Atkin
Job or Title <i>(if known)</i>	Manufacturing Technician Group Leader
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	4803166826
E-mail Address <i>(if known)</i>	ryan.t.atkin@intel.com

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Intel Corporation
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	(408) 765-8080

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law *(specify the federal law)*:

Sexual harassment, retaliation, wrongful termination



Relevant state law *(specify, if known)*:



Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See attached on the back please.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

05-22-2020 - 08-04-2021

C. I believe that defendant(s) *(check one)*:

- ☐ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race black
- ☒ color black
- ☒ gender/sex female
- ☒ religion Catholic
- ☒ national origin Haitian
- ☐ age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*
dried eyes

E. The facts of my case are as follows. Attach additional pages if needed.

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

12/21/2021

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 05/04/2023.

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

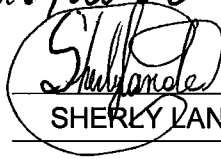
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

05/26/2023

Signature of Plaintiff



Printed Name of Plaintiff

SHERLY LANDE**B. For Attorneys**

Date of signing:

NA

Signature of Attorney

NA

Printed Name of Attorney

NA

Bar Number

NA

Name of Law Firm

NA

Street Address

NA

State and Zip Code

NA

Telephone Number

NA

E-mail Address

NA

III- Statement of Claim

I was employed by Intel Corporation in the position of Process Engineer from May 6, 2019 until August 4, 2021. I have been discriminated against because of my national origin, Haitian, race, Black, Color, sex Female, and religion, Catholic, as well as disciplined and discharged in retaliation for complaining about the harassment, in violation of Title VII of the Civil Rights Act of 1964, as amended. I further was discriminated against because of my disability, as well as terminated for requesting an accommodation, in violation of the Americans with Disabilities Act of 1990, as amended. All involvement mentioned below happened at Intel Corporation – Ocotillo Site – OC8 on 4500 S Dobson Rd, Chandler, AZ 85248.

First and foremost, Intel terminated my employment for discriminatory, retaliatory and not legitimate reason. Intel was waiting from the June 2020 to August 2021 to terminate my employment as Intel thought the allegation that happened on June 2020 was legally expired by August 2021. Around June 2020, Intel opened an investigation about my former direct manager Robert Colmyer who was discriminatory, retaliatory and not legitimate toward me. However, Intel did not open any investigations in 2021 even though I raised concerns regarding discrimination and harassment. Please see Image 1 and Image 1.1.

Frequently, I made several complaints to Boddy Pitts, my second level manager, months before I was issued the Corrective Action Plan (CAP). On May 27, 2021, I was put on CAP with a buyout option. James Bladt known as JB, my direct manager, gossiped and divulged any confidential information about me with others in office due to my national origin, sex, race, and color. For instance, on June 4, 2021, John Lok, a co-worker from my former team texted me on Facebook about a buyout conversation that I had with James Bladt. Please see Image 1.11, Image 1.111 and Image 1.2.

Also, James Bladt mentioned in the CAP the reason why he issued it to me because my infinity package was not 100% sign off. While on the CAP, I repeatedly requested to be signed off on the Infinity Package; however, my trainers were complicit in my harassment, and thus refused to honor my requests. I repeatedly complained about the harassment, to no avail. On August 4, 2021, I was terminated for failure to complete my certification. Since January 29, 2021, I started asking Christopher Warren, the first technician who was assigned by James Bladt to sign me off on the materials. Christopher said that because of my national origin, race, color, nationality, disability, and sex, I cannot perform this job. Please see Image 2.

Furthermore, Devin Scoot, who was my trainer assigned by James Bladt, said that I could never be a VIM Tool Owner (Engineer) due to my national origin, race, color, nationality and sex. On or about September 28, 2020, Devin said that he was a big jerk and he could make me lose my job easily. That was my first time training with him. Then, he said that only white Americans and Canadians should work here. From July 15 to July 24, Devin was always told me he was in the café from noon until the end of the day or he was always busy in order to make me miss on purpose the deadline to sign off the materials on the infinity package on July 24, 2021. Without any additional trainings, Devin waited until July 30, 2021 to test my knowledge on bean tuning and software. Then, he asked Alex Gibbs, a Process Engineer, to sign me off on August 2, 2021

via an email he sent to team including the managers. Devin then concluded that I performed toughed tunings, which means the most difficult ones. Please see Image 3, Image 3.15, Image 3.3, Image 3.31, Image 4, Image 4.2, Image 4.4, Image 5, Image 5.4 and Image 5.41.

Moreover, on June 29, James Bladt refused me to take 15 mins micro break at work as my ADA accommodation suggested. For instance, I complained his boss that I was required to take the certification for more than 4 hours without a micro break. My eyes were irritated and inflamed. Please see Image 6 and Image 6.1. In addition to that, Ryan Atkin and James Bladt constantly gossiped and divulged my medical information with others. Due to my national origin, race, color, sex, and retaliation, my daily tasks were doing tri-annual preventive maintenance qualification as a technician that other non-black trainees were not required to perform. Please see Image 5.51. Furthermore, Devin was the Person of Contact (POC) for the team. He covered for others so they could take their lunch break. But he refused to cover the tool I was working on so I could take my 15 mins micro break. Please see Image 1.1, Image 7, Image 8, Image 8.1, Image 8.11. Thus, my employment was terminated because I requested an accommodation.

In regards to religious discrimination, I do not mention that Intel does not have a prayer room. What I am saying is that starting February 2021 whenever I mentioned about God, Cullen Cormac and the other co-workers accused me of performing voodoo and witchcraft because of my national origin, race and color. On or about April 2, 2021, James Bladt told me that praying at my desk was hostile and unprofessional. Even I left Intel, they continued to harass and discriminate against me because of my faith. On March 4, 2022, Nester Kouam posted on my Facebook post that "I need to stop worshipping Catholics Idols." Please See Image 1.1 and Image 11.

Additionally, started about October 2020, Ryan Atkin was coming too close to my intimate areas like breasts and buttons while he pretended he was checking on me. First, he started touching my hands and shoulders, and asked me all the time to hook up. I repeatedly complained about the harassment to his manager Bobby Pitts. Ryan Atkin retaliated and then started to gossip with others to make me look bad. Specially, he discouraged other co-workers to help me completing the Infinity Package. On July 15, 2021, after I complained to Bobby Pitts, he did not stop. But, he behaved worst. On Saturday July 23, 2021, Ryan Atkin texted me, "Lets hook up," which means to have sexual encounters with him in order for my Infinity Package to sign up. This is due to my national origin, sex, race and color. Please see Image 1.1 and Image 12.

Ultimately, these conducts mentioned above were all unwelcome, offensive, and frequent. The conducts were severe, pervasive and altered the condition of my employment and created an abusive work environment. I was treated unfairly because of my protected classes while others was treated properly. All these behaviors created an uncomfortable work environment for me and negatively impacted my work performance.

V - Relief

I am asking the court to order for me all that I am entitled under the law. Also, I am asking for a compensation for emotional harm suffered such as mental anguish, inconvenience and loss of enjoyment of life. I have not been employed since after August 4, 2021. I have been seeking for employment. I have been spending money and time participating in interviews.

All my diagnosis was examined by a doctor at Intel OC2 called Yolanda Boese. Health damages due to sitting next to Carl Ward or Devin Scott at the Intel fab32 from October 2020 to July 2021. On November 23, 2020, I was diagnosed with left lateral shift which is left hip pain because the technician sitting on my right with the computers. On Feb 12, 2021, I was diagnosed with neck and shoulder pain because I was following Devin for more than 3 hours straight single working on a PC without a monitor.

On June 29, I was diagnose with hip issues. Doctor diagnosed that my left hip was weak because Karl Ward was sitting on my right with 3 monitors for me to follow for more than 3 hours. P I repeatedly complained about the issues, but no success. Please see Image 13 and Image 13.1.

Defendant (s) Continued

Defendant No. 5

Name	Jame P Bladt
Job or Title <i>(if known)</i>	Engineering Group Leader
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	NA
E-mail Address <i>(if known)</i>	james.p.bladt@intel.com

Defendant No. 6

Name	Cormac Cullen
Job or Title <i>(if known)</i>	Process Engineer
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
E-mail Address <i>(if known)</i>	NA

Defendant No. 7

Name	Nester Kouam
Job or Title <i>(if known)</i>	Process Engineer
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	NA
E-mail Address <i>(if known)</i>	

Defendant No. 8

Name	Robert J. Colmyer
Job or Title <i>(if known)</i>	Engineering Group Leader
Street Address	4500 S. Dobson Rd., OC8 Building
City and County	Chandler
State and Zip Code	AZ 85248
Telephone Number	NA
E-mail Address <i>(if known)</i>	



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Little Rock Area Office
820 Louisiana St, Suite 200
Little Rock, AR 72201
(501) 900-6130
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 05/04/2023

To: Miss Sherly Lande
2912 E Indian School Rd Apt A213
Phoenix, AZ 85016
Charge No: 540-2021-03875

EEOC Representative and email: BRITTNEY WILKERSON
Investigator
brittney.wilkerson@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 540-2021-03875.

On behalf of the Commission,

Digitally Signed By: Edmond Sims
05/04/2023

Edmond Sims
Acting District Director

Cc:

Monica Ryden
Jackson Lewis P.C.
2111 E HIGHLAND AVE STE B250
Phoenix, AZ 85016

Ryan Mangum
INTEL CORPORATION
4500 S DOBSON RD # OC2-157
Chandler, AZ 85248

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a FOIA Request or 2) a Section 83 request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your request for the charge file promptly to allow sufficient time for EEOC to respond and for your review. Submit a signed written request stating it is a "FOIA Request" or a "Section 83 Request" for Charge Number 540-2021-03875 to the District Director at Edmond Sims, 200 Jefferson Ave Suite 1400

Memphis, TN 38103.

You can also make a FOIA request online at <https://eeoc.arkcase.com/foia/portal/login>.

Enclosure with EEOC Notice of Closure and Rights (01/22)

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA Requests and Section 83 Requests, go to:
<https://www.eeoc.gov/eeoc/foia/index.cfm>.

NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA)

The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at:
http://www.eeoc.gov/laws/types/disability_regulations.cfm.

“Actual” disability or a “record of” a disability

If you are pursuing a failure to accommodate claim you must meet the standards for either “actual” or “record of” a disability:

- ✓ **The limitations from the impairment no longer must be severe or significant** for the impairment to be considered substantially limiting.
- ✓ In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), **“major life activities” now include the operation of major bodily functions**, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.
- ✓ **Only one** major life activity need be substantially limited.
- ✓ Except for ordinary eyeglasses or contact lenses, the beneficial effects of **“mitigating measures”** (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications) **are not considered** in determining if the impairment substantially limits a major life activity.
- ✓ An impairment that is **“episodic”** (e.g., epilepsy, depression, multiple sclerosis) or **“in remission”** (e.g., cancer) is a disability if **it would be substantially limiting when active**.
- ✓ An impairment **may be substantially limiting even though** it lasts or is expected to last **fewer than six months**.

Enclosure with EEOC Notice of Closure and Rights (01/22)

“Regarded as” coverage

An individual can meet the definition of disability if an **employment action was taken because of an actual or perceived impairment** (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).

- ✓ “Regarded as” coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.
- ✓ The employer has a defense against a “regarded as” claim only when the impairment at issue is objectively **both** transitory (lasting or expected to last six months or less) **and** minor.
- ✓ A person is not able to bring a failure to accommodate claim **if** the individual is covered only under the “regarded as” definition of “disability”.

***Note:** Although the amended ADA states that the definition of disability “shall be construed broadly” and “should not demand extensive analysis,” some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability. For more information, consult the amended regulations and appendix, as well as explanatory publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.*

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 540-2021-03875	
ARIZONA ATTORNEY GENERAL'S OFFICE, CIVIL RIGHTS DIVISION and EEOC <i>State or local Agency, if any</i>			
Name (Indicate Mr., Ms., Mrs.) MISS SHERLY LANDE		Home Phone (602) 693-4074	Year of Birth 1990
Street Address City, State and ZIP Code 510 E UNIVERSITY DR #3524, TEMPE, AZ 85281			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name INTEL - OCOTILLO		No. Employees, Members 501+	Phone No. (408) 765-8080
Street Address City, State and ZIP Code 4500 S DOBSON ROAD OC8, CHANDLER, AZ 85248			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 05-22-2020 08-04-2021 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I was employed by the above-named employer, in the position of Process Engineer, from approximately May 6, 2019 until August 4, 2021. Beginning on or about May 22, 2020, I was continuously subjected to race-based, religious-based, as well as sex-based harassment, by numerous male employees including but not limited to the following comments; only White Americans and Canadians should be recognized in this country, you're shit, and you're from Haiti, so you can't speak English. Whenever I would pray, they would say I was performing voodoo and witchcraft, and that praying at my desk was hostile, and unprofessional. They consistently gossiped and divulged my medical information and refused to allow me to utilize my ADA Accommodation. I was subjected to constant unwelcome touching by a male co-worker. On or about January 29, 2021, I was told by a male co-worker that because of my race and sex, I would never be able to perform the job. I was forced to perform duties, that other non-			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. Digitally signed by Sherly Lande on 12-21-2021 07:42 PM EST		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EEOC Form 5 (11/09)

<p align="center">CHARGE OF DISCRIMINATION</p> <p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA</p> <p><input checked="" type="checkbox"/> EEOC</p> <p align="right">540-2021-03875</p>
<p align="center">ARIZONA ATTORNEY GENERAL'S OFFICE, CIVIL RIGHTS DIVISION and EEOC</p> <p align="center"><i>State or local Agency, if any</i></p>	
<p>Black trainees werent required to perform. On or about May 27, 2021, I was put on a Corrective Action Plan (CAP). While on the CAP, I repeatedly requested to be signed off on the Infinity Package; however, my trainers were complicit in my harassment, and thus refused to honor my requests. I repeatedly complained about the harassment, to no avail. On or about August 4, 2021, I was terminated for failure to complete my certification.</p> <p>I believe I have been discriminated against because of my national origin, Haitian, race, Black, Color, sex Female, and religion, Catholic, as well as disciplined and discharged in retaliation for complaining about the harassment, in violation of Title VII of the Civil Rights Act of 1964, as amended. I further believe I was discriminated against because of my disability, as well as terminated for requesting an accommodation, in violation of the Americans with Disabilities Act of 1990, as amended.</p>	

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY - <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p align="center">Digitally signed by Sherly Lande on 12-21-2021 07:42 PM EST</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. FORM NUMBER/TITLE/DATE. EEOC Form 5, Charge of Discrimination (11/09).

2. AUTHORITY. 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.

3. PRINCIPAL PURPOSES. The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.

4. ROUTINE USES. This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.

5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION. Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an

investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.